IAP13 Rec'd PCT/PTO 16 JAN 2007



Docket No. 4220-128 US

The undersigned certifies that this communication is being deposited with the United States Postal Service as prepaid first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 12, 2007.

Diane Dunn McKay, Esq.

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

SHIN et al.

Customer No. 26817

International Application

No. PCT/KR2004/002746

Serial No. 10/578,133

Filed: May 2, 2006

Title: A COMPOSITION CONTAINING
BETA-GLUCAN FOR PREVENTION AND
TREATMENT OF OSTEOPOROSIS

TREATMENT OF OSTEOPOROSIS

Examiner: TBD

Confirmation No. 5219

Group Art Unit: TBD

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

 $\mathbf{x}$ 

SIR:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), dated November 30, 2006, enclosed please find a Declaration for Patent Application of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date.

Docket No. 4220-128 US

Serial No. 10/578,133

A fee in the amount of \$130.00 is enclosed. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,

Dated: January 12, 2007

Diane Dunn McKay, Esq.

Reg. No. 34,586

Attorney for Applicant

MATHEWS, SHEPHERD, McKAY & BRUNEAU, P.A.

29 Thanet Road, Suite 201

Princeton, NJ 08540

Tel: 609 924 8555

Fax: 609 924 3036





UNITED STATES DEPARTMENT OF COMMI United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov UNITED STATES DEPARTMENT OF COMMERCE

U.S. APPLICATION NUMBER NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

10/578,133

Hyun-Dong Shin

4220-128US

INTERNATIONAL APPLICATION NO.

PCT/KR04/02746

I.A. FILING DATE

PRIORITY DATE

10/28/2004

04/14/2004

MATHEWS, SHEPHERD. MCKAY & BRUNEAU, P.A.

**CONFIRMATION NO. 5219 371 FORMALITIES LETTER** 

\*OC000000021387340\*

26817 MATHEWS, SHEPHERD, MCKAY, & BRUNEAU, P.A. 29 THANET ROAD, SUITE 201 PRINCETON, NJ 08540

Date Mailed: 11/30/2006

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/02/2006
- Copy of the International Search Report filed on 05/02/2006
- Oath or Declaration filed on 05/02/2006
- U.S. Basic National Fees filed on 05/02/2006
- Priority Documents filed on 05/02/2006
- Specification filed on 05/02/2006
- Claims filed on 05/02/2006
- Abstracts filed on 05/02/2006
- Drawings filed on 05/02/2006

01/17/2007 MKAYPAGH 00000028 10578133

01 FC:1617

130.00 OP

The applicant needs to satisfy supplemental fees problems indicated below.

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted: missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

• \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web. https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <a href="http://www.uspto.gov/ebc.">http://www.uspto.gov/ebc.</a>

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

#### PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/578,133	PCT/KR04/02746	4220-128US

FORM PCT/DO/EO/905 (371 Formalities Notice)